

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

STEVEN B. MENDELOW, NANCY  
MENDELOW, CARA MENDELOW, PAMELA  
CHRISTIAN, C&P ASSOCIATES, LTD., and  
C&P ASSOCIATES, INC.,

Defendants.

Adv. Pro. No. 10-04283 (SMB)

**ORDER GRANTING  
MOTION FOR LEAVE TO FILE AMENDED COMPLAINT AND MOTION TO  
DISMISS WITHOUT PREJUDICE THE TRUSTEE'S SUBSEQUENT TRANSFEREE  
CAUSES OF ACTION**

Upon the motion dated December 30, 2015 (the "Motion") of Irving H. Picard (the "Trustee"), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* ("SIPA"), and the estate of Bernard L. Madoff ("Madoff"), seeking

entry of an order, pursuant to Rule 15 of the Federal Rules of Civil Procedure, as incorporated in this proceeding by Rule 7015 of the Federal Rules of Bankruptcy Procedure, granting the Trustee's request for leave to file an Amended Complaint and, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, to dismiss without prejudice Counts Eight through Ten of the Complaint, (the "Subsequent Transferee Causes of Action"), as incorporated in this proceeding by Rule 7041 of the Federal Rules of Bankruptcy Procedure; and the Court having considered the Memorandum Of Law In Support Of Trustee's Motion For Leave To File An Amended Complaint And Dismiss Without Prejudice the Trustee's Subsequent Transferee Causes Of Action and supporting Declaration of Jonathan B. New with exhibit; and any objections thereto; and due notice of the Motion having been given, and it appearing that no other or further notice need be given; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon the proceedings before the Court and after due deliberation, it is hereby

**ORDERED THAT:**

1. The relief requested in the Motion is granted in its entirety; and
2. The Trustee is granted leave to file his Amended Complaint.

SO ORDERED

Dated: \_\_\_\_\_, 2015

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HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE